

AGRICULTURE CODE

TITLE 3. AGRICULTURAL RESEARCH AND PROMOTION

CHAPTER 50B. TEXAS WINE INDUSTRY DEVELOPMENT ACT

Sec. 50B.001. FINDINGS AND PURPOSE. The legislature finds that:

(1) it is in the public interest to encourage the orderly growth and development of sustainable labor-intensive, value-added agricultural industries such as the wine grape growing and wine making industries;

(2) the production and distribution of wine and wine-related products constitute an important industry of this state that stimulates tourism and provides substantial and necessary revenues for the state and employment for the state's residents and provides an important food that benefits the public health and welfare; and

(3) it is vital to the continued economic well-being and general welfare of the citizens of this state that the state's wine grapes and wine be properly promoted by:

(A) enabling the wine industry in this state to help itself in establishing orderly, fair, sound, efficient, and unhampered marketing of wine grapes and the wines they produce; and

(B) working to stabilize the wine industry in the state by increasing markets for wine grapes and wine within the state and the nation and internationally.

Added by Acts 2005, 79th Leg., Ch. 878 (S.B. [1137](#)), Sec. 2, eff. June 17, 2005.

Sec. 50B.002. WINE INDUSTRY DEVELOPMENT ADVISORY COMMITTEE.

(a) The commissioner shall appoint a wine industry development advisory committee to:

(1) develop a long-term vision and marketable identity for the wine industry in the state that take into consideration future industry development, funding, research, educational programming, risk management, and marketing;

(2) assist the commissioner in establishing and implementing the Texas Wine Marketing Assistance Program under

Chapter 110, Alcoholic Beverage Code; and

(3) assist and advise the commissioner in determining the best and most productive and efficient expenditures of the wine industry development fund.

(b) The committee consists of members appointed by the commissioner to represent a diverse cross-section of the wine industry, including representatives of:

(1) grape growers representing various regions of this state;

(2) wineries representing a variety of small, medium, and large formats from the various regions of this state;

(3) researchers or educators specializing in viticulture or enology;

(4) consumers who are not affiliated with the alcoholic beverage industry;

(5) the department; and

(6) the Texas Alcoholic Beverage Commission.

(b-1) The members described by Subsections (b)(4) and (6) are nonvoting members.

(c) The members of the committee serve without compensation.

(d) A member of the committee serves at the pleasure of the commissioner for a term of two years. The commissioner may reappoint a member to the committee.

(e) The commissioner shall select a presiding officer from among the members and adopt rules governing the operation of the committee.

(f) The committee shall meet as necessary to provide guidance to the commissioner.

(g) Not later than September 1 of each year, the committee shall provide the commissioner with a written report containing:

(1) a summary of the committee's discussions, conclusions, and recommendations from the fiscal year preceding that date;

(2) a proposed schedule and plan of action for the fiscal year beginning on that date designed to implement and further the objectives of this chapter and Chapter 110, Alcoholic

Beverage Code;

(3) a proposed budget and prioritized spending plan for expenditures of the wine industry development fund; and

(4) other information requested by the commissioner or determined by a majority of the committee to be appropriate for inclusion in the report.

Added by Acts 2005, 79th Leg., Ch. 878 (S.B. [1137](#)), Sec. 2, eff. June 17, 2005.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 506 (S.B. [1016](#)), Sec. 4.02, eff. September 1, 2009.

Acts 2015, 84th Leg., R.S., Ch. 846 (S.B. [880](#)), Sec. 1, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 846 (S.B. [880](#)), Sec. 2, eff. September 1, 2015.

Sec. 50B.0025. ANNUAL PLAN AND BUDGET. Not later than November 1 of each year, the commissioner shall prepare for the current fiscal year the schedule and plan of action and budget and prioritized spending plan described by Section [50B.002\(g\)](#), considering the recommendations of the committee under that section and following them to the extent the commissioner considers appropriate.

Added by Acts 2015, 84th Leg., R.S., Ch. 846 (S.B. [880](#)), Sec. 3, eff. September 1, 2015.

Sec. 50B.003. WINE INDUSTRY DEVELOPMENT FUND. (a) The wine industry development fund is an account in the general revenue fund and consists of funds deposited to the account under this section.

(b) Except as provided by Sections [205.03\(1\)](#), (m), and (n), Alcoholic Beverage Code, money in the account may be appropriated only to the department and may be used only for the purpose of:

(1) providing funding to public or private entities to conduct surveys, research, and other projects related to:

(A) developing the Texas wine industry;

(B) developing viticulture and enology-related education programs;

(C) eliminating and eradicating diseases and pests that negatively impact the production of grapes and wine in the United States; and

(D) developing technologies or practices that could benefit the production of grapes and wine; and

(2) any administrative costs the department incurs in fulfilling the purposes described by Subdivision (1).

(c) The account is exempt from the application of Section [403.095](#), Government Code.

(d) The department may accept grants, gifts, or gratuities from any source, including a governmental entity, a private or public corporation, or any other person, that are made for the purpose of furthering the Texas wine industry. Any funds received under this subsection shall be deposited in the wine industry development fund.

Added by Acts 2005, 79th Leg., Ch. 878 (S.B. [1137](#)), Sec. 2, eff. June 17, 2005.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 846 (S.B. [880](#)), Sec. 4, eff. September 1, 2015.